

PUBLIC NOTICE NO. MT-08-15
September 8, 2008

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue wastewater discharge permits to the facilities listed in this notice. These permits are issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 et seq., Montana Pollutant Discharge Elimination System (MPDES); ARM 17.30.1001 et seq., Montana Ground Water Pollution Control System (MGWPCS); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared draft permits for the facilities listed below. Copies of the draft permits, statements of basis, and environmental assessments are available upon request from the Water Protection Bureau or on the Department's website www.deq.mt.gov.

APPLICANT INFORMATION

APPLICANT:	City Of Bozeman PO Box 1230 Bozeman, MT 59771
FACILITY NAME:	Bozeman Wastewater Treatment Plant
FACILITY LOCATION:	255 Moss Bridge Road, Bozeman Gallatin County
RECEIVING WATER:	Outfall 001: East Gallatin River
PERMIT NUMBER:	MT0022608

The Department of Environmental Quality (Department) has made a tentative decision to modify the existing Montana Pollutant Discharge Elimination System (MPDES) permit issued to the City of Bozeman, for its wastewater treatment plant. The Department is proposing to modify the existing MPDES permit as follows:

1. Revise the Escherichia coli (E. coli) bacteria short-term limit averaging time from daily to weekly;
2. Change the location of Outfall 001 to a new location (45°43'27.85"N latitude/ 111°04'7.22" W longitude); and
3. Administratively correct the requirement to monitor for carbonaceous biological oxygen demand (CBOD₅) rather than biological oxygen demand (BOD₅).

In accordance with the Administrative Rules of Montana (ARM) 17.30.1365(4)(b), only those conditions to be modified may be reopened and subject to public comment. All other conditions of the existing permit remain in effect. Therefore, the Department is accepting comment on Part I.A. (Description of Discharge Points and Mixing Zones); the table in Part I.B.(Effluent Limitations: Outfall 001 for E.Coli), and Part I.F.3 (Compliance Schedule/Special Conditions – Relocation of Outfall 001) of the draft-modified permit.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit Friends of the Wild Swan v. U.S. EPA, et al., CA 97-35-M-DWM, District of Montana, Missoula Division. The Department finds that the issuance of this proposed permit does not conflict with the order because the permit does not authorize any new or increased discharge of pollutants.

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APPLICANT NAME: TLW Properties, LLC
P.O. Box 539
Big Fork, MT 59911

FACILITY NAME: Cove Creek Ridge Subdivision Wastewater
Treatment System

FACILITY LOCATION: NW ¼ of Section 27, Township 29 North, Range 20
West, Flathead County

RECEIVING WATER: Class I ground water

PERMIT NUMBER: MTX 000199

This is a new permit for a wastewater treatment system to service the proposed Cove Creek Ridge Subdivision (CCRS). The CCRS is located northeast of the intersection of State Route 206 and Yeoman Road and northwest of Blaine Lake, in Flathead County. The proposed CCRS wastewater treatment system will service the proposed CCRS. During the development of the permit the Department determined that the discharge constitutes a new or increased source and is subject to Montana Nondegradation Policy (75-5-303, MCA; ARM 17.30.702(16)). The department has established numeric permit limits for the parameters of nitrogen and phosphorous. Discharge in compliance with the limitations of this permit constitutes nonsignificant degradation.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS **October 7, 2008**. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS **October 7, 2008** will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Dianne Beaman at WPBPublicNotices@mt.gov.

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373 and 17.30.1024).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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